

REMARKS/ARGUMENTS

The Examiner found patentable subject matter in claims 2, 5, 7 and 8. Claims 1, 9 and 10 are being cancelled. Claim 2 has been placed in independent form by combining it with claim 1. Claims 5 and 7 have been placed in independent form by combining each of them with claims 1-3. In claims 7 and 8, the claimed "pivot means" is being replaced with the broader term "pivot." New claims 21 and 22 depend from claim 5 and correspond respectively to claims 4 and 6. All amendments to the claims are either broadening amendments or merely cosmetic. Therefore, allowance of claims 2-8, 21 and 22 is respectfully requested.

New claims 11-20 include, among other features, the "conically shaped elevation" portion of the pressure sensor, which was found patentable in connection with the original claim 2. For at least this reason, allowance of claims 11-20 is requested.

The main reference Gradisar US '999 discloses a test device more or less of the same general kind as discussed on page 2 of the specification by reference to the German Patent Publication DE 41 00 834 A1. This known test device also incorporates electric monitoring means. There are provided force-sensing means 20 and 22 that are located beneath the heel 14 and the toe 16 of the user. Each sensing means comprises a contractor assembly of two relatively thin contact plates 30, 32 as spaced by a resilient dielectric member 34 and received in a hole 36 of a resilient pad 24 which has to be much softer than the dielectric member 34. The contractor assembly is connected by wires 52, 54 to a signal box 11 which among others comprises a battery-driven alarm 60 which will sound whenever the tip of a screw 44 which is fixed to the upper contact plate 30 will come into contact with the lower contact plate 32 under a predetermined load.

This known test device therefore misses a curved washer having a snap portion of the kind as defined in claim 2 and new claim 11 which does not rely on an electrical connection with a "signal box" for establishing an electrical monitoring system. With the use of such a washer there will be provided a fully mechanical test device which is much more reliable in handling and also produced at a lower cost in comparison with the electrical version.

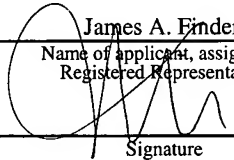
The test device of Pfeiffer US '375 is also an electrical version of the same kind as Gradisar with the only difference being that in this case the actual load-receiving contact assembly is provided by a bellows 44 which is connected via fluid tubes 36, 38 to the signal box 40 having an alarm 70 which will be actuated when contacts 52 and 56 come into contact with each other under a predetermined load. This known test device therefore misses as well a washer having a snap portion of the kind as specified in claim 2 and new claim 11.

The reference to Gorla US '319 adds little if anything to the two main reference documents. Gorla simply discloses footwear to which visibility aids are attached as distinguishing or decoration elements. No indication whatsoever may be found in this document in respect to any possible existence also of a test device of the kind as disclosed by the subject patent application and/or as disclosed by either Gradisar or Pfeiffer, so this reference is therefore submitted to be merely cumulative prior art. Gorla moreover also misses a washer of the kind as defined in claim 2 and new claim 11.

The remaining prior art documents have been carefully checked and are submitted not to disclose or suggest a test device of the kind according to any of the independent claims.

In view of the foregoing amendments and remarks, allowance of claims 2-8 and 11-22 is requested.

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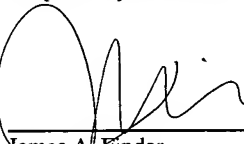
Name of applicant, assignee or
Registered Representative

Signature

November 24, 2003

Date of Signature

Respectfully submitted,



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